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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,872	09/05/2003	David K. Platner	60,130-1720/03MRA0168	8096

26096 7590 01/19/2005  
CARLSON, GASKEY & OLDS, P.C.  
400 WEST MAPLE ROAD  
SUITE 350  
BIRMINGHAM, MI 48009

EXAMINER
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WILLIAMS, THOMAS J

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

10/656,872

Applicant(s)

PLATNER ET AL.

Examiner

Thomas J. Williams

Art Unit

3683

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 24 and 25.

Claim(s) objected to: 12-14, 19 and 20.

Claim(s) rejected: 1, 3-6, 8-11, 15-18 and 26-33.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

THOMAS WILLIAMS  
PATENT EXAMINER

Thomas Williams  
NO 3683  
1-12-05

Continuation of 5. does NOT place the application in condition for allowance because: the applicant submits that paragraphs 35 and 36 provide support for the claimed features set forth in claims 26-29. However, neither paragraph discloses the relationship between the forward leaf spring section and the rearward leaf spring section (as recited in claims 26 and 28) and neither paragraph addresses the specific design of the rearward leaf spring section (as claimed in claims 27 and 29). The figures are for illustrative purposes only do not clearly illustrate the claimed features set forth in claims 26-29. Any design feature recited in the claims should have written support in the instant specification, if the applicant can point to the specific language in the disclosure that is used in the claims then the 35 U.S.C. 112 rejection would be retracted by the examiner. Regarding the rejection in view of Duchemin, the phrase "laminated" implies the existence of superposed layers of one or more materials (as defined by Merriam Webster's Collegiate Dictionary 10th Edition), as such the rejection is deemed proper. Regarding the rejection in view of McGee, a specific location of the forward section is not clearly defined by the applicant, as such the examiner is interpreting a portion of the forward section adjacent portion 24 (in McGee) as being the forward section, this section is clearly shown as being thicker in depth than the tip portion of the rearward section. The phrase "forward section" is interpreted by the examiner to include any portion past the middle support section in the instant application.

TJW  
January 12, 2005

THOMAS WILLIAMS  
PATENT EXAMINER

*Thomas Williams*

Re 3683

1-12-05